

ASSIGNED**AMENDED**

Serial No.

23808**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED****APR 17 1967**

Date of filing in State Engineer's Office.....

Returned to applicant for correction..... **MAY 12 1967**Corrected application filed..... **MAY 17 1967** Map filed..... **APR 17 1967**The applicant..... **Roy R. Rutherford**of..... **Eureka**....., County of..... **Eureka**State of..... **Nevada**....., hereby makes application for permission to change the
point of diversionof water heretofore appropriated under..... **Permit No. 18850**

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is..... **underground (Well No. 1)**
(Name of stream, lake or other source.)
2. The amount of water to be changed..... **4.0**
(Second feet, acre feet.)
3. The water to be used for..... **irrigation and domestic**
(If for stock state number and kind of animals.)
4. The water heretofore used for..... **irrigation and domestic**
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point..... **from which the W $\frac{1}{2}$ corner of Section**
5, T. 21 N., R. 54 E., M.D.B. & M. bears N. 47° 33' 30" W. 1894 feet.
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5.
6. The existing point of diversion is located within..... **The SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5 at a**
point from which the SW corner of Section 5, T. 21 N., R. 54 E.,
(If point of diversion is not changed, do not answer.)
M.D.B. & M. bears S. 45° 38' W. 120.00 feet.
7. Proposed place of use..... **Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 5, T. 21 N.,**
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
R. 54 E., M.D.B. & M. 320 acres.
8. Existing place of use..... **Lots 3 & 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 5, T. 21 N.,**
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
R. 54 E., M.D.B. & M.
9. Use will be from..... **January 1**..... to..... **December 31**..... of each year.
(Month) (Month)
10. Use has been from..... **January 1**..... to..... **December 31**..... of each year.
(Month) (Month)

11. Description of proposed works.

Drill well, pump, motor and sprinkler system.

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$10,000.00

13. Estimated time required to construct works completed

14. Remarks the map filed in support of this application will be used to support the Proof of Beneficial Use for #18850 (W-67015-0)

Compared jw/jb hs/jw

Applicant Roy R. Rutherford

By s/ Mark Chilton
Agent

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 18850 is issued subject to the terms and conditions imposed in said Permit 18850 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening, an air line and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed a

yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before November 7, 1967

Proof of commencement of work shall be filed before December 7, 1967

Work must be prosecuted with reasonable diligence and be completed on or before November 7, 1967

Proof of completion of work shall be filed before December 7, 1967

Application of water to beneficial use shall be made on or before December 7, 1967

Proof of the application of water to beneficial use shall be filed on or before January 7, 1968

Map in support of proof of beneficial use shall be filed on or before January 7, 1968

Commencement of work filed Nov. 30, 1967

Completion of work filed Nov. 30, 1967

Proof of beneficial use filed Nov. 30, 1967

Cultural map filed April 10, 1967

Certificate No. 6799 Issued 10-1-68

Recorded 10-9-68 Bk. 26 Page 152

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 7th day of August

A.D. 1967

Roland D. Westergard
State Engineer